

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MATTHEW P. MCINTYRE,

Petitioner,

v.

CASE NO. 2:07-CV-1301
JUDGE SARGUS
MAGISTRATE JUDGE KING

WARDEN, WARREN CORRECTIONAL
INSTITUTION,


Respondent.

OPINION AND ORDER

On February 10, 2009, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

 3-12-2009

EDMUND A. SARGUS, JR.
United States District Judge